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12 **UNITED STATES DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 OCWEN LOAN SERVICING, LLC,

15 Plaintiff,

16 vs.

17 NEVADA RANCH TWILIGHT  
18 HOMEOWNERS ASSOCIATION,

19 Defendant.

Case No.: 2:17-cv-02437-JCM-PAL

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO RESPOND  
TO DEFENDANT NEVADA RANCH  
TWILIGHT HOMEOWNERS  
ASSOCIATION'S MOTION TO  
DISMISS COMPLAINT**

20 COME NOW Plaintiff Ocwen Loan Servicing, LLC ("Ocwen") and Defendant Nevada  
21 Ranch Twilight Homeowners Association (the "Nevada Ranch Twilight"), by and through their  
22 respective counsel of record, and hereby stipulate and agree as follows:

23 WHEREAS, on August 29, 2009, a Notice of Delinquent Assessment (Lien) was  
24 recorded against the subject Property by Alessi & Koenig, LLC (the "HOA Trustee") on behalf  
25 of Nevada Ranch Master Homeowners Association ("Nevada Ranch Master").

26 WHEREAS, on that same date, a Notice of Delinquent Assessment (Lien) was recorded  
27 against the subject Property by the HOA Trustee on behalf of Nevada Ranch Twilight.

28 WHEREAS, on November 16, 2009, a Notice of Default and Election to Sell Under  
Homeowners Association Lien was recorded against the subject Property by the HOA Trustee on  
behalf of Nevada Ranch Master.

WHEREAS, on that same date, a Notice of Default and Election to Sell Under

1 Homeowners Association Lien was recorded against the subject Property by the HOA Trustee on  
2 behalf of Nevada Ranch Twilight.

3 WHEREAS, on November 5, 2010, a second Notice of Default and Election to Sell  
4 Under Homeowners Association Lien was recorded against the subject Property by the HOA  
5 Trustee on behalf of Nevada Ranch Master.

6 WHEREAS, on March 20, 2012, a Notice of Trustee's Sale was recorded against the  
7 subject Property by the HOA Trustee on behalf of Nevada Ranch Master, stating that a  
8 foreclosure sale would proceed on April 11, 2012.

9 WHEREAS, on August 14, 2012, a Notice of Trustee's Sale was recorded against the  
10 subject Property by the HOA Trustee on behalf of Nevada Ranch Twilight, stating that a  
11 foreclosure sale would proceed on September 12, 2012.

12 WHEREAS, on August 14, 2012, a second Notice of Trustee's Sale was recorded against  
13 the subject Property by the HOA Trustee on behalf of Nevada Ranch Master, stating that a  
14 foreclosure sale would proceed on September 12, 2012.

15 WHEREAS, on January 8, 2013, a Trustee's Deed Upon Sale was recorded against the  
16 Property by the HOA Trustee on behalf of Nevada Ranch Twilight, stating that a foreclosure sale  
17 occurred on December 12, 2012.

18 WHEREAS, on April 25, 2013, a Corrective Trustee's Deed Upon Sale was recorded  
19 against the Property by the HOA Trustee, stating that it was recorded "[t]o correct foreclosing  
20 beneficiary name and TS. No." The foreclosing beneficiary was changed from Nevada Ranch  
21 Twilight to Nevada Ranch Master. The foreclosure sale date was also changed from December  
22 12, 2012, to September 12, 2012.

23 WHEREAS, on September 18, 2017, Ocwen filed a Complaint seeking damages against  
24 Nevada Ranch Twilight. ECF No.1.

25 WHEREAS, on January 10, 2018, Nevada Ranch Twilight filed a Motion to Dismiss the  
26 Complaint. ECF No. 8.

27 WHEREFORE based on the foregoing,

28 ///

1 IT IS HEREBY STIPULATED AND AGREED that the time for Ocwen to respond to  
2 Nevada Ranch Twilight's Motion to Dismiss (ECF No. 8) should be extended in order for  
3 Ocwen to subpoena the HOA Trustee's records for the subject Property in order to determine the  
4 correct foreclosing association and ensure that the correct association is named as a party to this  
5 action.

6 IT IS FURTHER STIPULATED AND AGREED that the deadline for Ocwen to respond  
7 to the Motion to Dismiss (ECF No. 8), currently January 24, 2018, should be extended by 30  
8 days to February 23, 2018, so that the parties have sufficient time to receive and review the HOA  
9 Trustee's collection file, determine the correct foreclosing association and determine an  
10 appropriate course of action, whether by dismissal of Nevada Ranch Twilight or by continuing  
11 briefing of the Motion to Dismiss.

12 IT IS SO STIPULATED.

13 DATED this 22<sup>nd</sup> day of January, 2018

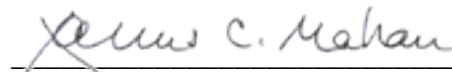
DATED this 22<sup>nd</sup> day of January, 2018

14  
15 /s/ Christina V. Miller  
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*Twilight Homeowners Association*

21 **ORDER**

22 IT IS SO ORDERED.

23  
24   
25 UNITED STATES DISTRICT JUDGE

26 1/24/2018  
27 DATED: \_\_\_\_\_  
28